



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

FEB 11 2004

OFFICE OF PETITIONS

First Named
Inventor : Russell B. Stuber

Appln. No.: 10/086,786

Filed : February 28, 2002

For : LOOK AHEAD SPLIT RELEASE FOR
A DATA BUS

Docket No.: 01-262/L13.12-0174

Group Art Unit: 2185

Examiner:

**PETITION FOR RESCINDING HOLDING OF ABANDONMENT OR
REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.127(a)**

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I HEREBY CERTIFY THAT THIS PAPER IS BEING
SENT BY U.S. MAIL, FIRST CLASS, TO THE
COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VA 22313-1450, THIS

3 DAY OF February, 2004.
Robert M. Hargis
PATENT ATTORNEY

This is in response to the Notice of Abandonment dated January 12, 2004. The above-identified application was held abandoned for failure to file a reply to the Notice to File Corrected Application Papers dated April 4, 2002 by the Patent and Trademark Office.

APPLICANT HEREBY PETITIONS FOR RESISION OF THE HOLDING OF ABANDONMENT OR, IN THE ALTERNATIVE, REVIVAL OF THIS APPLICATION

1. A Fee Transmittal Sheet to authorize charge of the petition fee of \$110.00 to Deposit Account 12-2252 is enclosed (37 CFR \$ 1.17(1)).

2. An updated reply to the above Notice to File Corrected Application Papers in the form of a Request for Approval of Formal Drawings with four (4) sheet of formal drawings and a copy of the above Notice are enclosed herewith.

02/09/2004 SSESHE1 00000044 122252 10086786

01 FC:1452 110.00 DA

3. Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

4. Also enclosed is an adequate showing that a response was timely filed in response to the Notice, or in the alternative, that the cause of any delay in filing the required response from the due date for the response until the filing of a grantable petition under 37 CFR § 1.137(a) was unavoidable. This showing is set forth in the following remarks, and is supported by the following enclosures:

- A. Copy of Transmittal Letter, Letter to the Draftsman and two (2) sheets of formal drawings dated June 4, 2002.
- B. Copy of Express Mail receipt dated June 4, 2002.
- C. Copy of return postcard indicating receipt of formal drawings by the U.S. Patent and Trademark Office on June 4, 2002.
- D. Declaration of Manu Kashyap.

GROUNDS

As shown by the Express Mail receipt, item B, the Transmittal Sheet, Letter to the Draftsman, replacement formal drawings and copy of the Notice (item A) was deposited with the U.S. Post Office as Express Mail on June 4, 2002 and is therefore entitled to the date of deposit as the filing date. 37 CFR 1.10. As shown by the return postcard, item C, the Transmittal Sheet, Letter to the Draftsman and replacement formal drawings (item A) were received by the Patent and Trademark Office and accorded a filing date of June 4, 2002, and was therefore within the 2-month period for response to the Notice of April 4, 2002. The attached declaration of Manu Kashyap, item D, attests that a copy of the Notice to File Corrected Application Papers was included with the response filed June 4, 2002.

For the reasons given above, a response to the Notice was timely filed on June 4, 2002. However, the formal drawings filed

on June 4, 2002 inadvertently comprised a wrong set of drawings. It is respectfully submitted that inadvertent submission of the erroneous drawings does not mean that a response to the Notice was not timely filed; it only means that there was a defect in the response that could have been corrected. Since the response was timely filed, the Notice of Abandonment should be rescinded, or in the alternative, the application should be revived.


The error in the drawings submitted June 4, 2002 was first discovered after receipt of the above Notice of Abandonment. The response filed hereto (item 2) includes the correct drawings. The delay in now filing the response is entirely unavoidable, since at all times the Applicant and the undersigned believed the necessary response was timely filed and complied with the requirements of 37 CFR.

In view of the above, rescission of the Notice of Abandonment, or in the alternative, revival of the application, is respectfully solicited.

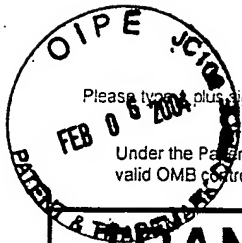
The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No.12-2252.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 
Robert M. Angus, Reg. No. 24,383
Suite 1600 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

RMA:lah



Please type, plus sign (+) inside this box



Approved for use through 9/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/086,786		
	Filing Date	February-28, 2002	
	First Named Inventor	Russell Stuber	
	Group Art Unit	2125	
	Examiner Name		
Total number of pages in this submission	3	Attorney Docket Number	L13.12-0174 / 01-262

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and
<input type="checkbox"/> Amendment/Response	<input type="checkbox"/> Licensing-related Paper	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits(s)/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of time request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<div>Return Receipt Postcard</div>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<div>Remarks</div>	<div>Formal Drawings</div>
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	Sandeep Jaggi, Reg. No. 43,331, Phone: [+1] 408-954-4923
Signature	
Date	6-4-02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: June 4, 2002	
Typed or printed name	Manu Kashyap, Phone: [+1] 408-433-7475
Signature	Date: 6/4/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

A (1 of 4)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :

Russell Stuber
Robert Moss



Serial No. :

10/086,786

Group Art Unit :

Filed :

February 28, 2002

Examiner :

For :

Look Ahead Split Release for a
Data Bus

Atty Docket :

L13.12-0174 / 01-262

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231, on the date indicated below:

Manu Kashyap

Date

6/4/02

Signature

SUBMISSION OF FORMAL DRAWINGS PURSUANT TO 37 C.F.R. §1.85

Official Draftsman

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicant hereby substitutes the enclosed formal drawings for those presently in the above referenced application.

LSI Logic Corporation
1551 McCarthy Blvd., MS D-106
Milipitas, CA 95035
408-433-7475

Respectfully submitted,

Sandeep Jaggi

Reg. No. 43,331

Date:

6/4/02

A (274)

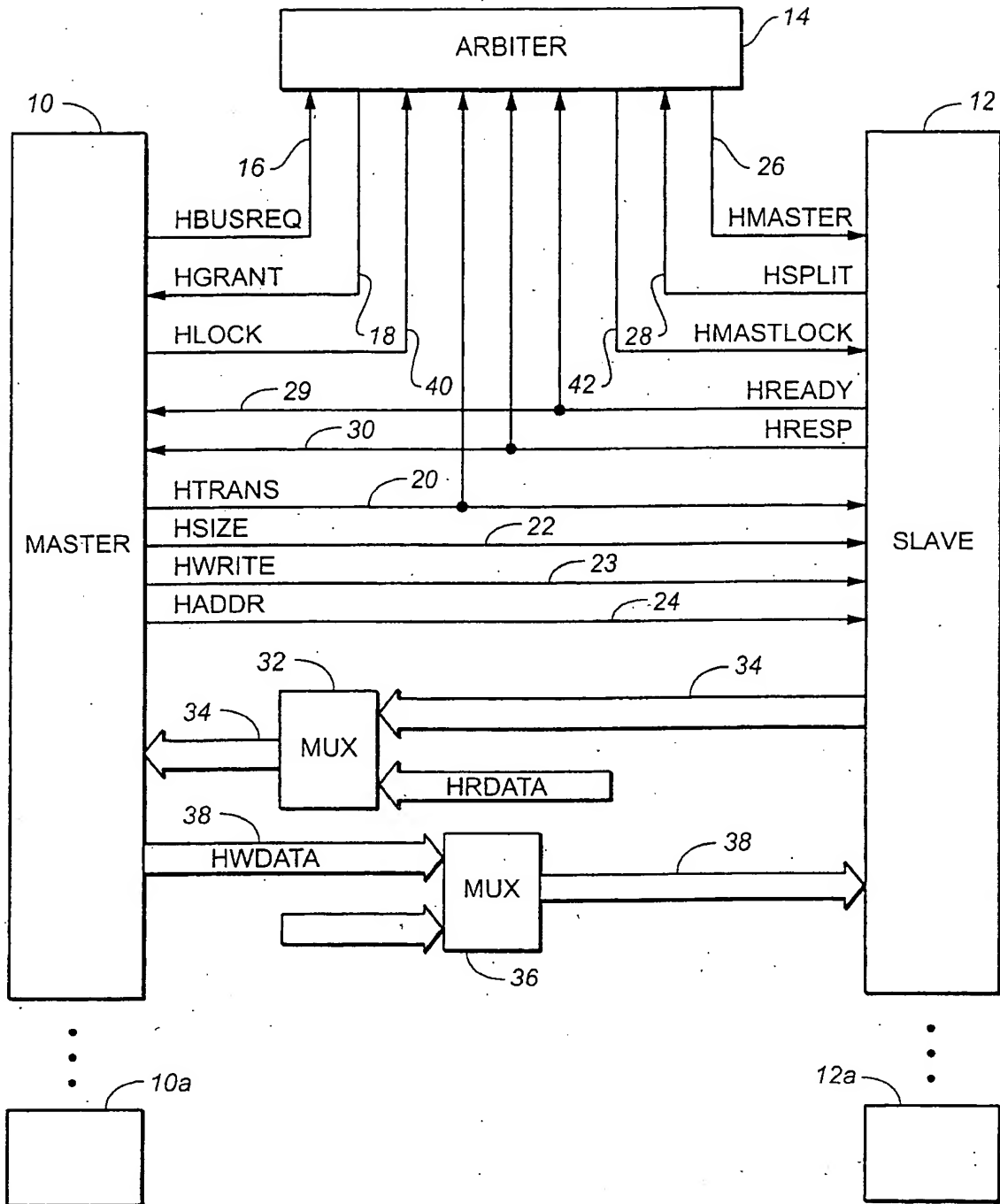
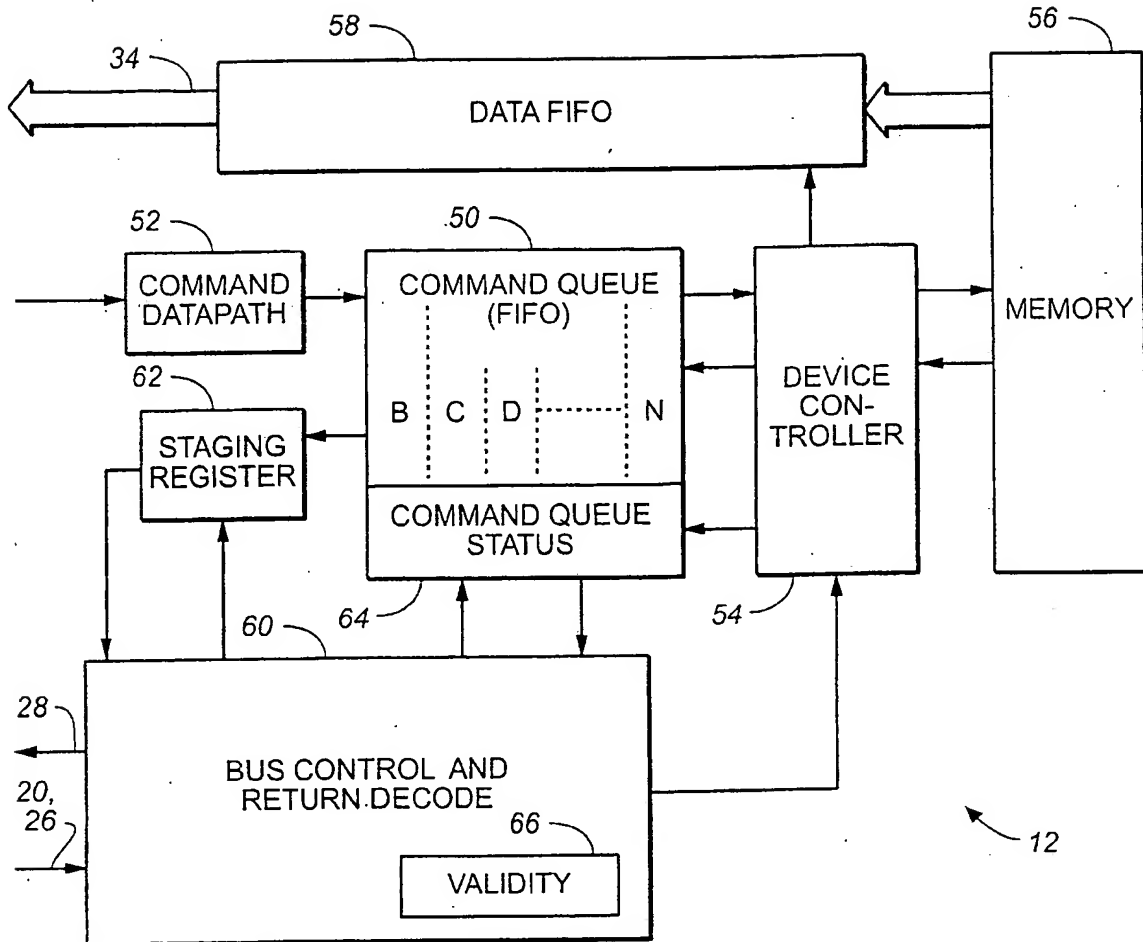


FIG. 1

**FIG. 2**

A (4 of 4)



POST OFFICE TO ADDRESSEE



920602185 US

JUN 11 2002
Customer Copy
Label 11-F August 2000

SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
ON INSURANCE COVERAGE

ORIGIN (POSTAL-USE ONLY)

PO ZIP Code 95102	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In JUN 10	<input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> 2 PM	Postage \$ 0
Mo. JUN	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
Time In 1:30 PM	Int'l Alpha Country Code	COD Fee Insurance Fee
Weight lbs. 2.7 ozs.	Acceptance Clerk Initials LH	Total Postage & Fees \$ 1.00
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		

☐ WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.

NO DELIVERY ☐ Weekend ☐ Holiday Customer Signature

CUSTOMER USE ONLY

METHOD OF PAYMENT:

Express Mail Corporate Acct. No.

8950454

408 433 7191

FROM: (PLEASE PRINT)

PHONE

MANU KASHYAP
1551 MCCARTHY BLVD
MAYL STGP 0-106
MILPITAS

LA 95035-7451

01-262

TO: (PLEASE PRINT)

PHONE

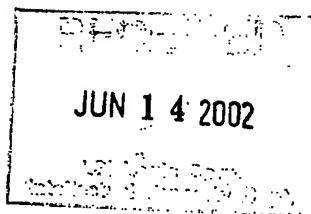
US PTO
ASST COMMISSIONER
FOR PATENTS & TRADEMARKS

PO Box 2327
Arlington, VA 22202
Box: Formal Drawings

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



B



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert Moss
Russell Stuber
10/086,786

Serial No. :

Filed :

For :

February 28, 2002

Look Ahead Split Release for a Data Bus

Group Art Unit : 2185

Examiner :

Atty Docket : 11312-01-01-262

HONORABLE COMMISSIONER:

Please acknowledge receipt of the following documents:

— Issue Fee Form PTO/SB/17 (Modified) (in duplicate) dated: _____

— Form PTOL-85B (in duplicate) Dated: _____

☒ Submission of Formal Drawings

— Power of Attorney PTO/SB/81.

— Evidence of assignment.

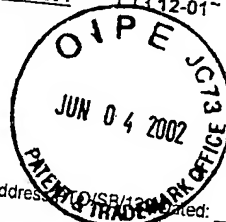
— Change of Correspondence Address PTO/SB/12 dated: _____

— Certification of Assignee under 37 CFR 3.73(b).

Please date stamp received and deposit in U.S. Mail.

Date Mailed Via First Class Mail:

June 4, 2002



C



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Russell B. Stuber

Appln. No.: 10/086,786

Filed : February 28, 2002

For : LOOK AHEAD SPLIT RELEASE FOR
A DATA BUS

Docket No.: 01-262/L13.12-0174

Group Art Unit: 2185

Examiner:

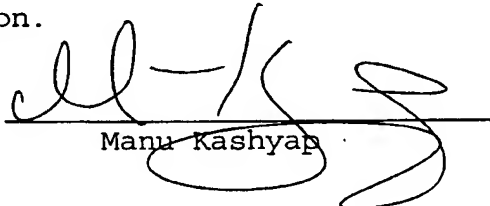
**DECLARATION OF MANU KASHYAP IN SUPPORT OF PETITION FOR
RESCINDING HOLDING OF ABANDONMENT OR REVIVAL OF AN
APPLICATION FOR PATENT**

I, Manu Kashyap state: I am an employee of LSI Logic Corporation, the assignee of the above application, at its Intellectual Property Law Department in Milpitas, California, I am familiar with the above Petition, and I make this Declaration in support of that Petition.

On June 4, 2002 I deposited the Transmittal Letter, Letter to the Draftsman and two (2) sheets of formal drawings, a copy of which is identified as "item A" in the above Petition, together with a copy of the Notice to File Corrected Application Papers dated April 4, 2002, with the U.S. Post Office for transmittal to the U.S. Patent and Trademark Office.

I declare that all statements made herein that are of my own knowledge are true and that all statements that are made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: January 30, 2004


Manu Kashyap



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named
Inventor : Russell B. Stuber

Appln. No.: 10/086,786

Filed : February 28, 2002

For : LOOK AHEAD SPLIT RELEASE FOR
A DATA BUS

Docket No.: 01-262/L13.12-0174

Group Art Unit: 2185

Examiner:

**RESPONSE TO NOTICE TO FILE CORRECTED
APPLICATION PAPERS**

Mail Stop Missing Parts

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS
BEING SENT BY U.S. MAIL, FIRST CLASS,
TO THE COMMISSIONER FOR PATENTS,
P.O. BOX 1450, ALEXANDRIA, VA 22313-
1450, THIS

3 DAY OF February, 2004.
Robert M. Angus
PATENT ATTORNEY

Sir:

In response to the Notice to File Corrected Application Papers dated April 4, 2002, Applicant encloses the following documents to complete the above-identified patent application filed February 28, 2002:

1. Copy of Notice to File Corrected Application Papers;
2. Request for Approval of Formal Drawings; and
3. Four (4) sheets of Formal drawings.

The Director is authorized to charge payment of any additional fees associated with this paper or credit any overpayment to Deposit Account No. 12-2252.

Respectfully submitted,
WESTMAN, CHAMPLIN & KELLY, P.A.

By: Robert M. Angus

Robert M. Angus, Reg. No. 24,383
Suite 1600 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

RMA:lah.

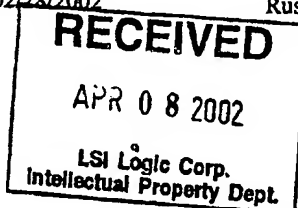


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/086,786	02/28/2002	Russell B. Stuber	01-262/L13.12-0174

Sandeep Jaggi
LSI LOGIC CORPORATION
M/S D-106
1551 McCarthy Boulevard
Milpitas, CA 95035



CONFIRMATION NO. 8978

FORMALITIES LETTER



OC000000007790803

Date Mailed: 04/04/2002

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

H. Truong
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE





RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE FEB 11 2004

First Named
Inventor : Russell B. Stuber

OFFICE OF PETITIONS

Appln. No.: 10/086,786

Filed : February 28, 2002

Group Art Unit: 2185

For : LOOK AHEAD SPLIT RELEASE FOR
A DATA BUS

Examiner:

Docket No.: L13.12-0174/01-262

REQUEST FOR APPROVAL OF FORMAL DRAWINGS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS BEING
SENT BY U.S. MAIL, FIRST CLASS, TO THE
COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VA 22313-1450, THIS

3 DAY OF February, 2004

Robert M. Angus
PATENT ATTORNEY

Sir:

Enclosed are **Four** (4) sheets of formal drawings for
filing in the above-identified application.

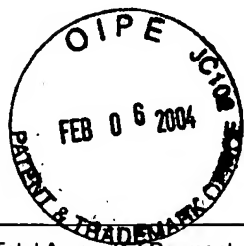
Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: Robert M. Angus
Robert M. Angus, Reg. No. 24,383
Suite 1600 - International Centre
900 Second Avenue South
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

RMA:lah

FEE TRANSMITTAL



Complete If Known

Application No.	10/086,786
Filing Date	February 28, 2002
First Named Inventor	Russell B. Stuber
Title	LOOK AHEAD SPLIT RELEASE FOR A DATA BUS
Group Art Unit	2185
Examiner Name	
Atty. Docket Number	L13.12-0174/01-262

Total Amount of Payment \$ 110

METHOD OF PAYMENT (Check One)

1. ☒ The Director is hereby authorized to charge any additional fee required under 37 C.F.R. § 1.16 and 1.17, including any petition fee, and credit any over payments to Deposit Account No. 12-2252.

2. ☐ Check Enclosed

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$) Code (\$) Fee Description

1001 770 2001 385 ☒ Utility Filing Fee

1002 340 2002 170 ☐ Design Filing Fee

1004 770 2004 385 ☐ Reissue Filing Fee

1005 160 2005 80 ☐ Prov. Filing Fee

Subtotal (1) \$ 0

2. EXTRA CLAIM FEES

Number Prior** Extra Fee from Fee Paid
Claims

Total 16 20 0 18 0

Indep. 3 3 0 86 0

Multiple Dependent Claims

** Insert 3 and 20, or number previously paid if greater; Reissue see below

Large Entity Small Entity

Fee Fee Fee Fee Description

Code (\$) Code (\$) Description

1202 18 2202 9 Claims in excess of 20

1201 86 2201 43 Independent claims in excess of 3

1203 290 2203 145 Multiple Dependent Claims

1204 86 2204 43 Reissue Independent Claims over Original Patent

1205 18 2205 9 Reissue claims in excess of 20 and over original patent

Subtotal (2) \$ 0

FEE CALCULATION (Continued)

3. ADDITIONAL FEES

Large Entity Fee	Small Entity Fee	Fee Description	Fee Paid
Code	Code		
1051	2051	Surcharge - Late filing fee or oath	65
1052	2052	Surcharge - Late provisional Filing Fee or cover sheet	25
1053	1053	Non-English specification	130
1812	2,520	For Filing a Request for Reexamination. (ex parte)	2,520
1251	2251	Extension for reply within first month	110
1252	2252	Extension for reply within second month	420
1253	2253	Extension for reply within third month	950
1254	2254	Extension for reply within fourth month	1,480
1255	2255	Extension for reply within fifth month	2,010
1402	2402	Filing a brief in support of an appeal	330
1403	2403	Request for oral hearing	290
1814	2814	Terminal Disclaimer Fee	110
1452	2452	Petition to Revive - unavoidable	110
1453	2453	Petition to Revive - unintentional	1,330
1501	2501	Utility/Reissue issue fee (inc. advance copies)	1,330
1502	2502	Design issue fee (inc. advance copies)	480
1460	1460	Petitions to the Commissioner	130
1807	1807	Petitions related to provisional applications	50
1806	1806	Submission of Information Disclosure Statement	180
8021	8021	Recording each patent assignment per property (times number of properties)	40

Other Fee (specify) _____

Subtotal (3) \$110

Signature

(Robert M. Angus)

Reg. No. 24,383

Date Feb 3, 2004

Deposit Account No. 12-2252